



State of Missouri

Christopher S. Bond, Governor

Department of Consumer Affairs, Regulation and Licensing
Division of Professional Registration

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Executive Director

NEWSLETTER

Volume XXII - Issue III

August, 1981

BOARD MEMBERS

<u>NAME</u>	<u>TERM EXPIRES</u>
Mrs. Marlene Grissum, R.N., President	June 1, 1984
Mrs. Guinevere Gevecker, R.N., Secretary-Treasurer	June 1, 1984
Miss Virginia Gayle Collins, L.P.N.	June 1, 1980
Miss Mary Lou George, R.N.	June 1, 1981
Mrs. Rose Marie Hilker, R.N.	June 1, 1981
Mrs. Sharon Summers, R.N.	June 1, 1982
Mrs. Norma J. Wolfe, LPN	June 1, 1981

PROFESSIONAL STAFF

Mrs. Mary Sue Hamilton, R.N., M.S.N., Executive Director

OFFICE STAFF

Mrs. Sharon Roberts	Miss Joyce Brandt
Mrs. Rita Blank	Mrs. Marsha Knatcal
Mrs. Pam Groose	Mrs. Dorothy Koestner
Mrs. Linda Strobel	Mrs. Mary Young

PLEASE NOTE

ONLY ONE NEWSLETTER IS BEING SENT AN INSTITUTION. THEREFORE, WE APPRECIATE YOUR SHARING THIS WITH ALL INTERESTED PERSONS. PLEASE POST ON BULLETIN BOARD OR ROUTE THIS INFORMATION TO AS MANY NURSES AS POSSIBLE. MAY BE REPRODUCED AND DISTRIBUTED.

SCHEDULE OF BOARD MEETINGS

DAYS	DATES	PLACE	TIME	ITEMS FOR AGENDA DUE BY
Monday thru Friday	October 5-9, 1981	Board of Nursing Office	8:30 a.m.	September 14, 1981
Monday thru Friday	January 18-22, 1982	Board of Nursing Office	8:30 a.m.	December 28, 1981
Monday thru Friday	April 26-30, 1982	Board of Nursing Office	8:30 a.m.	April 5, 1982

Executive Meetings will be scheduled for Sunday Evening (7:00 p.m.) preceding commencement of regular meetings; place to be announced.

Regular Board Meetings will be held at the Division of Professional Registration, 3523 North Ten Mile Drive, Jefferson City, Missouri, beginning at 8:30 a.m. each day. Meetings are open to the public except for discussion of licensure disciplinary problems. Public agendas are published.

If you drive from the eastern part of the state via I-70, exit at the Kingdom City, Highway 54 West, State Capitol Exit. Proceed to Jefferson City via Highway 54, cross the bridge, and take the Highway 50 West (Sedalia) Exit. Proceed on Highway 50 West until you see the Capital Mall on the North, at the junction of North Ten Mile Drive and Highway 50 West. Turn right onto North Ten Mile Drive, and our office is located in a metal, cream-colored building, .8 of a mile north of the Mall.

If you drive from the western part of the state via I-70, exit at Columbia, Highway 63 South, Jefferson City exit. When in Jefferson City cross bridge, and proceed as above.

If you drive from the western part of the state via Highway 50 East, turn left onto North Ten Mile Drive. The Capital Mall will be on your right. Go approximately .8 of a mile north and our office is located in a metal, cream-colored building.

If you are coming in on Highway 50 West from the eastern part of the state, go all the way through Jefferson City until you reach the Capital Mall, turn right and proceed .8 of a mile north of the Mall.

NEW ASSOCIATE EXECUTIVE FOR EDUCATION

Bonnie Hedges Greer, has accepted the position of Associate Executive for Education and will assume her duties January 4, 1982. Mrs. Greer received a Master of Science Degree in Nursing from St. Louis University, with preparation as Master Clinician in Medical-Surgical Nursing (Functional Area in Teaching) in May, 1981.

She obtained a Bachelor of Science Degree in Nursing from Southeast Missouri State University, Cape Girardeau, Missouri in 1977.

Her basic nursing education was at Stormont-Vail School of Nursing, Topeka, Kansas, where she received a diploma in 1954.

She is currently an instructor of Medical-Surgical Nursing and Fundamentals of Nursing (both Associate Degree and Baccalaureate); at Southeast Missouri State University, Department of Nursing Education, Cape Girardeau, Missouri.

From 1968-1977 she worked as Instructor and Coordinator, Practical Nurse Program; Instructor, Emergency Medical Technician-Ambulance; Instructor, Hospital Inservice. Sikeston Public Schools, Sikeston, Missouri.

She has numerous clinical experiences including Emergency Room Nursing, Private Duty Nursing, Staff/Charge Nursing, School Nursing.

Mrs. Greer's research project was a survey of 1980 associate degree nursing graduates to determine their perceptions of educational effectiveness in preparation for practice.

We are most pleased that Mrs. Greer will be joining our staff and the Missouri State Board of Nursing. We are indeed fortunate to find someone with her vast clinical and educational experiences. This appointment will improve our communications with and services to the schools of nursing in the State of Missouri.

WORK SESSION FOR NURSE SPECIALTY TITLE RULES

The Missouri State Board of Nursing wishes to pursue the writing of an interpretative ruling concerning Nurse Specialty Titles. We would like for interested parties to be present at a work session to be held Sunday, October 4, 1981, at the Missouri State Board of Nursing Office in Jefferson City. The meeting will convene at 3:00 p.m. at our office located at 3523 N. Ten Mile Drive, Jefferson City, Missouri.

BOARD ACTION

August 3-7, 1981

NAME OF SCHOOL	REQUEST	DECISION
<u>R.N. Schools</u>		
Central Missouri State University Warrensburg, Missouri	Use of Golden Valley Memorial Hospital as clinical facility	Request denied
Deaconess Hospital St. Louis, Missouri	Requesting curriculum changes	Approval of proposal for Micro in the 1st level, and shortening the 10 week course in level 3 to 8 weeks The Board recommended the further development of the concept of the capstone 4 week experience and submission at a later date
Jefferson College Hillsboro, Missouri	Requesting use of Normandy Osteopathic Hospital-South	Request approved
Lutheran Medical Center St. Louis, Missouri	Requesting approval for curriculum changes	Request approved
Maryville College St. Louis, Missouri	Establishment of affiliation with St. Mary's LPN Program	Request approved
Missouri Western College St. Joseph, Missouri	Requesting approval of VA Hospital in Leavenworth, Kansas for psychiatric affiliation. Survey done	Request approved
Penn Valley Comm. College Kansas City, Missouri		Lenora Whitmore, Acting Director 1981-1982, met with the Board as new Director
St. Louis Comm. College Forest Park, St. Louis Missouri	Requesting use of Malcolm Bliss Mental Health Center and Barnes Hospital Neuro ICU	Request approved pending survey by Missouri Board
University of Missouri Columbia, Missouri	Requesting use of J.C. Schools for clinical facility	Request approved

BOARD ACTION

August 3-7, 1981

NAME OF SCHOOL	REQUEST	DECISION
<u>P.N. Schools</u>		
Bethesda/Webster P.N. St. Louis, Missouri	Request O.B. and Newborn clinical facilities at Deaconess Hospital	Request approved
Columbia P.N. Columbia, Missouri	Requesting use of Mesa Hills Adult Care Center	Request denied Sharon Taylor, new Coordinator, met with Board
Kirksville P.N. Kirksville, Missouri	Requesting increase in enrollment from 24 to 30.	Request approved provided addition faculty member is employed Elmira Baiotto, new Coordinator, met with Board
Mexico P.N. Mexico, Missouri	Request use of Monroe Manor Nursing Home, Paris, Missouri, for clinical facility.	Request approved
Moberly P.N. Moberly, Missouri	Requesting use of North Village Manor, Moberly, Missouri, for clinical facility.	Request approved
Reeds Spring P.N. Reeds Spring, Missouri	Requesting use of Cox Medical Center for O.B. and Peds Experience	Request approved
Trenton Junior College P.N. Trenton, Missouri		Carolyn Dean, new Coordinator met with Board

Northwest Mo. State University, Maryville, Missouri	Proposal presented for a generic 4 year baccalaureate program in nursing to start Fall, 1982 with 24 students	Request approved

SURVEY REPORTS

NAME OF SCHOOL	FACILITIES VISITED	DECISION
University of Missouri School of Nursing	University of Missouri Hospitals and Clinics	Approved as presented
East Central College AD Program	Veterans Administration (Jefferson Barracks)	Approved as presented
Moberly AD Program	Audrain Medical Center Moberly Regional Medical Center Monroe Manor North Village Manor Samaritan Memorial Hospital Loch Haven	Approved as presented
Hannibal-LaGrange AD	Beth Haven Nursing Home Levering Hospital St. Elizabeth's Hospital	Approved as presented

East Central Junior College AD Program, Moberly Junior College AD Program, Hannibal-LaGrange AD Program were surveyed for initial accreditation in accordance with the Minimum Standards for Schools of Professional Nursing, 1981. All schools were approved for continued initial accreditation.

PROFESSIONAL NURSING STUDENTS TAKING THE PRACTICAL NURSE EXAM

The Missouri State Board of Nursing has for several years maintained a policy that students enrolled in schools as professional nursing students would not be allowed to sit for licensure as a practical nurse. Upon reviewing that policy the Missouri State Board of Nursing has determined that this policy is not compatible with the Nursing Practice Act, Chapter 335.046. This Section states, "An applicant for licensure to practice as a licensed practical nurse...shall have successfully completed a basic prescribed curriculum in a state accredited school of practical nursing or a comparable period of training as determined by the Board."

The Board will examine applicants from professional nursing schools who might wish to write for the practical nurse examination and determine if they have completed a comparable period of training.

Anyone wishing an application for the practical nurse examination must request an application in writing giving complete name, address, and school of nursing. Fee of \$25 is non-refundable.

PUBLIC HEARINGS

Viola Shields Young, RN #62567 - License revoked for actions constituting unprofessional conduct and acts derogatory to the morals and standing of those engaged in the care of the sick (administering range of motion exercises that had not been prescribed or ordered by any doctor or other person, causing a fracture of the femur with demineralization of the femoral head). License revoked for reasons of being unfit or incompetent by reason of negligence, a lack of professional skill, or otherwise (statements made by Viola Young were totally untrue, false, and fancified by Viola Young who did sincerely believe each of said statements to be true and accurate - i.e. working for U.S. Army Intelligence Authority and some man had jumped from the television and shot patient with electronic bolt of energy).

Loretta Fielder, RN #34969 - License suspended for two years, suspension stayed and license placed on probation for two years. Disciplinary action was taken on the basis that (1) Loretta Fielder misappropriated the contents of Demerol (Meperidine) tubexes and Seconal capsules (2) occasionally incorrectly or incompletely charted the administration of narcotics to patients (3) improperly left a syringe filled with Aminophyllin attached to the IV tubing in a patient's arm without removing the syringe in a timely fashion. Loretta Field was adjudged unfit or incompetent by reason of negligence, lack of professional skill or otherwise and habitually intemperate in the use of a habit forming drug.

Sandra R. Fluharty, LPN #21474 - License was suspended for three years. Sandra Fluharty was judged guilty of unprofessional conduct and habitually intemperate in the use of habit forming drugs. Sandra Fluharty did withhold an injection of Demerol (Meperidine) from a patient and did self-inject intravenously and did misappropriate unknown quantities of various narcotic drugs or controlled substances.

Georgia K. Dell, LPN #7831- License was placed on suspension for two years. The imposition of the suspension was suspended and the licensee placed on probation for one year. Georgia Dell's LVN license had been revoked in the state of California. Action was taken in California because Georgia Dell used Valium to such an extent that her professional ability to practice as a nurse with safety was impaired. Georgia Dell acknowledged the misappropriation of Sodium Phenobarbital, a controlled substance. The activities for which Georgia Dell's license as a L.V.N. were revoked by the California Board would, if committed in this state, have constituted grounds for suspension or revocation of her Missouri licensure as an L.P.N.

Doris L. Davidson, LPN #12416 - The Board's decision was to revoke and suspend the imposition of the revocation and temporarily suspend license until October 9, 1981. The nurse is to appear before the Board at its October meeting to discuss and determine permanent disciplinary action. Failure to appear will result in revocation. Doris Davidson's conduct constitutes unprofessional conduct and activity which is derogatory to the morals or standing of those engaged in the care of the sick. Doris Davidson did misappropriate and self administer Compazine and Demerol and was charged with stealing Benadryl, Demerol, Compazine, and Darvocet-N to which she pled guilty in Magistrate Court and was convicted (moral turpitude).

Ann M. Redwine, RN #76303 - The Board's decision was to revoke and suspend the imposition of the revocation and temporarily suspend license until October 9, 1981. The nurse is to appear before the Board at its October meeting to discuss and determine permanent disciplinary action. Failure to appear will result in revocation. Ann Redwine misappropriated Demerol and Morphine Sulfate and falsely charted those medications as having been administered to patients. Misappropriation of these drugs was for the purpose of supplying them to another person. Ann Redwine's conduct constitutes unprofessional conduct and activity which is derogatory to the morals or standing of those engaged in the care of the sick.

OTHER ACTION

Gloria Kindig Lausen a/k/a Cathryn Alice Smith, LPN #27877. A Joint Stipulation of Facts, Waiver of Hearing Before the Administrative Hearing Commission and State Board of Nursing, and Consent Order has been entered into between Gloria Kindig Lausen a/k/a Cathryn Alice Smith and the State Board of Nursing, effective July 28, 1981. License #27877 which was issued on October 9, 1979, was obtained with false information and said license is hereby REVOKED effective July 28, 1981. Ms. Lausen a/k/a Smith is not a graduate of an approved practical nursing school and is not licensed in any other state as a practical nurse.

James Joseph Stoker, R.N. #77982. A Joint Stipulation of Facts, Waiver of Hearing Before the Administrative Hearing Commission and the State Board of Nursing and Consent Form was entered into between James Joseph Stoker, R.N., and the State Board of Nursing, on May 14, 1981. This Consent Order provides that the license of James Joseph Stoker, #77982, is revoked; provided that the execution of this order of revocation is suspended and James Joseph Stoker's registered professional nurse license is placed on five (5) year's probation, effective May 14, 1981 to May 14, 1986. Mr. Stoker is required to comply with all provisions of Chapter 195, RSMo., relating to the possession, distribution, sale and administration of controlled substances; submit a semi-annual statement sworn under oath, stating truthfully whether or not he has violated any provisions of the probation order or of Chapter 335, RSMo., which are applicable to him. Mr. Stoker falsified narcotics logs, misappropriated certain narcotic drugs and administered these drugs to himself. These drugs included meperidine (demerol) and other narcotic drugs.

PROPOSED RULES

PROPER SUPERVISION

"Proper supervision" as that term is used in Section 335.081 (6) RSMo., 1978, means the general overseeing and the authorizing to direct in any given situation. This includes orientation, initial and ongoing direction, procedural guidance, and periodic inspection and evaluation.

LICENSURE

An applicant who fails the licensure examination may retake the examination two (2) times. An applicant who has failed the examination three (3) times shall thereafter be ineligible to take any further examination until such time as such person shall submit satisfactory evidence to the Board of further formal study of nursing courses in an approved school of nursing (in the case of applicant for RN licensure, an approved professional school; in the case of an applicant for LPN licensure, an approved practical school) of one (1) year and appear before the Board before taking the examination again.

NURSING DIAGNOSIS

Discussion of Nursing Diagnosis definition was held. No action was taken.

MANDATORY LICENSURE IN MISSOURI

Upon reviewing applications for licensure from applicants from other states as practical or professional nurses, I have noted an increasing number of persons reporting they are currently working in the State of Missouri. Missouri has a mandatory nurse licensure law which protects the nurse's title as well as the public. This means that an individual cannot practice as a practical or registered nurse in this state without a current Missouri license or valid temporary permit. A license or permit from another state does not allow a nurse to practice in Missouri.

It is the responsibility of the employer to verify an individual's license or permit prior to employment. We recommend the following procedure to verify licensure:

1. Identify the person.
2. Identify the renewal certificate (wallet-sized card) and make sure it is currently dated.
3. Accept no photostatic copies for identification.

Temporary work permits are dated, sealed, and signed. An individual may not continue to practice nursing after the permit has expired. After Senate Bill 16 becomes law September 28, 1981 only one temporary permit may be issued to an applicant.

If an individual cannot show evidence of current licensure, please notify the Board at once. We will be happy to verify the licensure status of an individual to an employer.

New graduates from professional or practical out-of-state schools, who are writing the State Board Test Pool Examination in another state, must have a "Permission for Out-of-State Graduates to Work Pending Results of First Examination" permit. New graduates who are writing the examination in the State of Missouri are exempted from licensure and should have in their possession information from us verifying that they are scheduled to write the examination in Missouri. This may be checked by calling the Board Office. Graduates of Missouri State Accredited Schools may work under proper supervision pending the results of the first licensing examination scheduled. (See definition of proper supervision).

POLICY STATEMENT

In response to questions asked by nurses who had been pulled in hospital settings to work in intensive care areas where they felt inadequately prepared, the Missouri State Board of Nursing issued the following statement:

Missouri State Board of Nursing has the inherent authority to express its views regarding the practice of nursing within the state to protect the public health, safety, and welfare. The Missouri State Board of Nursing does not support practices which could compromise the professional integrity of the nurse and feels that the nurse should not be placed in areas where inadequate knowledge and orientation is available.

By assigning a nurse to an area where he/she has inadequate knowledge and skills, the licensee is in jeopardy and the Missouri State Board of Nursing could by Chapter 335.066 (4), RSMo., 1978, revoke or suspend the license if a complaint is filed against the nurse.

FROM THE EXECUTIVE:

Senate Bill 16 passed the legislature this year in the closing minutes of the session and was then signed by the Governor to become effective September 28, 1981. Senate Bill 16 provides for re-organization of the state licensure system and consequently caused changes in your Nursing Practice Act.

The major changes for nursing practice deal with re-wording of 335.066:

1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 161.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 161 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use or unlawful possession of any controlled substance, as defined in 195 RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate or registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Violation of any professional trust or confidence;

(13) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(14) Violation of the drug laws or rules and regulations of this state, any other state or the federal government.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 161. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. An individual whose license has been revoked may be relicensed at the discretion of the board after compliance with all the requirements of section 335.011 to 335.096 relative to the licensing of an applicant for the first time.

5. The board may notify the proper licensing authority of any other state in which the person whose license was suspended or revoked was also licensed of the suspension or revocation.

A public member (non-voting) will be added to the Missouri State Board of Nursing effective July, 1982.

Changes in fee structure for all Boards occurred with the passage of Senate Bill 16. Boards were given the statutory authority to set their own fees - which the Missouri State Board of Nursing previously was empowered to do. Along with that authority came the requirement to reimburse other state agencies for services rendered. These agencies have been established to be (1) Department of Consumer Affairs, Regulation and Licensing (2) Division of Professional Registration (3) Administrative Hearing Commission (4) Attorney General's office (5) Auditor's office. At this time the estimated outlay to these agencies from the Missouri State Board of Nursing is \$330,000 yearly.

The budgetary system of the State is difficult to understand. In fiscal year 1981 the Missouri State Board of Nursing generated \$393,025 (which exceeded appropriations of \$298,753). The excess money is turned over to general revenue funds on a biennium basis. With Senate Bill 16 redesigning the fiscal system, it is felt that appropriation requests will be examined next year with a new and keener eye. We are hopeful that we will be granted appropriations that will support the services we feel are essential to uphold the Nursing Practice Act and protect the public.

The Senate Bill 16 states the Board cannot set fees at a level to produce revenue which shall substantially exceed the cost and expense of administering the provisions of Chapter 335., RSMo., 1981 (Nursing Practice Act). The new fee structure as proposed by the Board is as follows:

Examination and Endorsement fee - RN	\$40 (no change)
Examination and Endorsement fee - LPN	\$25 (no change)
Annual Renewal fee	\$10 (increase from \$5)
Lapsed license fee (in addition to renewal fee for each year of lapse)	\$50 (no change)
School Accreditation Fee	\$50 (no change)
Verification Fee (to other states for licensure)	\$5 (new fee)
License Renewal Duplicate Fee	\$5 (new fee)
Computer Print-Out of Licensees - Not more than	\$25 (new fee)

The funds generated by the new fee structure should be sufficient to support the Board and its current level of operations and provide reimbursement to other state agencies. These fees are still conservative when examining the fees charged by other State Boards of Nursing and the services provided by your State Board of Nursing (disciplinary actions, protection of titles, school accreditations, surveys of schools and clinical facilities, licensure by endorsement, examination, or renewal).

This rule was filed as an Emergency Rule on August 13, 1981, and will become effective 10 days from filing. A normal rule covering this same material was also filed on August 13, 1981, and will be published in the September 2, 1981, Missouri Register. Comments will be accepted in writing for thirty (30) days after publication on September 2, 1981. The Order of Rule Making will be filed by October 14, 1981, for publication in the November 2, 1981 Register, and the rule should become effective on November 12, 1981.

We ask your support of this fee increase. With a 65% increase in phone rates, a 38% increase in postage, more clinical facilities surveys being conducted, and an increase in nursing licensure disciplinary actions, our current budget is very slim. We will work hard not to decrease present services to the public or to schools.

PUBLIC HEARING

A public hearing was held August 19, 1981, at 1:00 p.m. to review the accreditation status of Trenton Junior College Associate Degree Nursing Program. The program will retain it's current full accreditation status.